From: [redacted]
To: FGC
Subject: RE: The Tale of Two Ecological Reserves.
Date: Monday, October 06, 2014 1:18:37 PM

Dear Commissioners,

Thank you again for your time.
The Department of Fish and Wildlife is not following the Commission's policies or procedures in the operation of Pilgrim Creek Ecological Reserve which is a component of the Pilgrim Creek Mitigation Bank. Does not the Commission have responsibilities in the following?

RESPONSIBILITIES
The Fish and Game Commission has a wide range of responsibilities that continually expands and includes:

Formulation of general policies for the conduct of the Department of Fish and Wildlife
Establishing protected lands/waters (marine protected areas, wildlife areas and ecological reserves.)
Regulating uses of protected areas
Listing and delisting of threatened/endangered species under California Endangered Species Act
Accepting mitigation lands on behalf of the State

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With regard to PCER, its the Pilgrim Creek HOA belief that CDFW is operating beyond the scope of the Banking Instrument and there by endangering the public health and safety. CDFW is complying with numerous MOA/MOU, guidelines, both Federal and State. CDFW is in violation of Federal and State Clean Water Acts by not providing erosion control on slopes located on PCER.

If the commission would documentation and photos, please contact me.

For the PCE BOD

Ronald Oshima

On Thu, 10/2/14, FGC <FGC@fgc.ca.gov> wrote:

Subject: RE: The Tale of Two Ecological Reserves.
To: "ron oshima" [redacted]
Date: Thursday, October 2, 2014, 8:40 AM

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solid;}#yiv6064111998

In the Interim Joint Policy on Pre,
During and Post Fire Activities and Wildlife Habitat, the
Fish and Game Commission's involvement is extremely
limited. There does exist an Interagency Mitigation
Monitoring Program which is maintained through
CALFIRE/Board.

Also, policies are not statutory. General policies
for the conduct of the department shall be formulated by the
commission. The director (department) shall be

guided by those policies. Policies describe the
objectives and missions of government
agencies and how they propose to achieve these objectives
using various methods and principles. A policy document
should not be misconstrued as a law.

-----Original
Message-----

From: ron oshima [redacted]

Sent: Thursday, October 02, 2014 1:37 AM

To: FGC

Subject: RE: The Tale of Two Ecological Reserves.

Can you than explain how the INTERIM JOINT POLICY ON
PRE, DURING, AND POST FIRE ACTIVITIES AND WILDLIFE HABITAT
does not apply to CDFW and the Commission?

On Fri, 9/26/14, FGC <FGC@fgc.ca.gov>
wrote:

Subject: RE: The Tale of Two Ecological
Reserves.
To: "ron oshima"[redacted]
Date: Friday, September 26, 2014, 9:10 AM

Mr. Oshima,

The Fish and Game Commission
has received you e-mail expressing concerns and
seeking assistance with the Department of Fish and
Wildlife's management of Pilgrim Creek Ecological
Reserve.

The Commission does not have
authority over management practices of the Department
of Fish and Wildlife (DFW). We are separate agencies
and DFW reports to the Secretary of Resources (Resource
Agency).

Your e-mail
contacting the Director, Department of Fish and
Wildlife is the best initial action you can take.

-----Original Message-----
From: ron oshima [redacted]

Sent: Thursday, September 25, 2014 2:39 PM
To: FGC

Cc: Burg, Richard@Wildlife;
Tom Graria; Oltmann, Julie@Wildlife;
Manager PCE HOA; Philomena Raso; Wong, Warren@Wildlife
Subject: The Tale of Two Ecological Reserves.

September 24, 2014

California Fish and Game Commission
P.O. Box 944209
Sacramento, CA
94244-2090

Dear Commissioners,

The HOA is seeking your assistance with its fourteen (14) year struggle with the Department of Fish and Game/Wildlife on the subject of weed abatement policies on the Pilgrim Creek Ecological Reserve. The Burton Mesa Reserve's Final Land Management Plan makes reference to the 1994 Interim Joint Policy which should be equally applied to the Pilgrim Creek Reserve. Even though there are technical differences on the administration of the two Reserves, there should no differences in the level of public safety and fire protection.

The HOA would also request the Commission's interpretation on does Health and Safety Code 13100.1 and 13104.5 apply?

The following is a letter was written to CDFW Director Bonham and Governor Brown.

Once again thank you for your assistance.

For the PCE HOA

Ronald Oshima

[redacted]

September 24, 2014

CDFW Director Charlton H. Bonham

1416 Ninth Street, 12th Floor
Sacramento, CA 95814

Dear Director Bonham

My name is Ronald Oshima the liaison for the Pilgrim Creek Estates (PCE) Home Owners Association to California Department of Fish and Wildlife. Let me begin on a less formal note on the tale of two Ecological Reserves, Burton Mesa and Pilgrim Creek,
both operated by the South Coast Office of CDFW.

At Burton Mesa there is a 100 foot wide Fuel Modification Zone (FMZ), which is maintained by CDFW.
At Pilgrim Creek there is a 40 foot wide FMZ between the Reserve and the HOA. Since 2011, CDFW claims maintenance of the FMZ was/is voluntary its part. That the Citizen of Pilgrim Creek HOA are to fund FMZ maintenance and assume total liability for
operations conducted on the FMZ.
The FMZ is on State land.

At Burton Mesa there is a Fire Protection Plan in place in coordination with local fire agencies.
At Pilgrim Creek there is NO Fire Protection Plan.
Since PCER is located in a Local Area of Responsibility, the City of Oceanside has jurisdiction(Calfire letter 2009). But CDFW choose to ignore Fire and Safety Codes of the City of Oceanside.

CDFW asserts that the issues
between the two Reserves are complex and this may be the case. But there numerous MOU/MOA, Federal and State guidelines and State Regulations, yet with all this documentation there are loop holes and gray areas. CDFW has made commitments to supply
the HOA with written justification or interpretation on its voluntary weed abatement/maintenance position since 2012 and has yet to deliver. Since 2000 CDFG/W has change its position on FMZ maintenance six (6) times. They are not CDFG weeds, oh they
are our (CDFG) weeds, we are out of money, G.C.Section 55182, PRC 4291, we are still out of money and the homes are built to close to the property line.

In the interest of Public Health and Safety, Fire Protection and equal protection under the Law, the South Coast Office should be directed to operate Pilgrim Creek by the same operational standards as Burton Mesa. How is it that private home owners
should be compelled to maintain State land without due process.

Any assistance your office can provide would be greatly appreciated by the Citizens of Pilgrim Creek Estates.

Respectfully.

Ronald Oshima

For the PCE BOD

[redacted]

Ronald Oshima

[redacted]